

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OLC 75-1134/A

29 July 1975

Mr. Pat M. Holt
Chief of Staff
Committee on Foreign Relations
United States Senate
Washington, D. C. 20510

Dear Pat:

In response to your request, we have reviewed the transcripts of the testimony of Mr. Allen W. Dulles before the Foreign Relations Committee on 31 May 1960 in connection with the U-2 incident. With the deletions noted below, these transcripts may be released as you requested:

- a. The last line of page 371 and the first two lines of page 372.
- b. Page 383, delete the references to the individual noted.
- c. Page 384, delete the reference to certain facilities.

I am concerned that the statements made by Mr. Dulles on pages 366 and 368 regarding the applicability of international law and domestic law to certain intelligence activities and his concept of his responsibility to the President, could well be misconstrued especially if taken out of context. As I believe you know there have been instances where Mr. Dulles has been so quoted in the press. I do not feel, however, that these references in his testimony may be deleted for security reasons.



You will recall that the use of the U-2 aircraft for intelligence purposes raised some interesting questions regarding a nation's rights to air space over its boundaries. This subject was treated extensively in a Symposium entitled "Legal Problems in Space Exploration" prepared for the Senate Committee on Aeronautical and Space Sciences by the Legislative Reference Service of the Library of Congress in March, 1961. (Senate Document No. 26, 87th Congress, 1st Session.) I believe anyone who is interested in studying Mr. Dulles' testimony on the U-2 would also want to consult this Symposium.

Sincerely,



George J. Cary
Legislative Counsel

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